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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of John Gerard Speare et al.

Art Unit 2191

Serial No. 10/806,779

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For METHOD FOR UPDATING DATA IN ACCORDANCE WITH RIGHTS  
MANAGEMENT POLICY

Examiner Ted T. Vo

May 21, 2008

**RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

TO THE COMMISSIONER FOR PATENTS,

SIR:

In response to the Notification of Non-Compliant Appeal Brief, dated April 21, 2008, please replace the Summary of Claimed Subject Matter, which begins at page 2 of the Appeal Brief, with the following **Amended Summary of Claimed Subject Matter**, which begins on page 2 of this paper.

## V. AMENDED SUMMARY OF CLAIMED SUBJECT MATTER

The following summary correlates claim elements to embodiments described in the application specification, but does not in any manner limit claim interpretation. Rather, the following summary is provided only to facilitate the Board's understanding of the subject matter of this appeal.

Aspects of the invention allow an administrator to associate a rights management policy with certain senders and/or recipients of messages to dynamically apply the rights management policy to a message. See Application, paragraph [0006]. In addition, aspects of the invention allow an administrator to automatically update a rights management protected message and/or a rights management protected document attached to that message as it passes through a message transfer agent. Id. at [0009]. In one embodiment, the administrator may determine either on a regular interval or an ad-hoc basis that the message transfer agent scans the messages stored to determine whether or not the content has expired. Id. If the content has indeed expired, the administrator may take steps to have the expired content deleted entirely, refreshed with more current content, or replaced with a tombstone indicating that the original content has expired. Id. The deletion of the expired content, the refreshing of the updated content, and the replacement of the content involve the actual content itself and not a mere mask to hide the content from the user.

Independent claim 1 is directed to a computerized method for updating content in an electronic document, such as a message (202) to which rights managements protection is applied. See Application, paragraph [0026]. ~~The~~ As shown in FIG. 7, for example, the computerized method includes accepting the electronic document (700). Id.; FIGS. 6-7. One or more rights management protections (~~200~~), as defined by a persisted policy scheme and associated with content of the electronic document, are identified (702).

In one embodiment, a message sender 100 that is enrolled in a rights management service and is registered with a rights management server 200 may elect to apply rights management protection to a message 202 at the time of sending. Typically, the sender 100 will select a "Protect" button on the toolbar of the message editor. Alternatively, the sender may also select a "Protect" menu item from the menu of the message editor. Upon selecting the appropriate mechanism by which to protect the message 202, the sender 100 will choose the desired

protections for the message 202 from, for example, a list of protections or rights management templates. Id. at [0026], [0040], FIGS. 2A and 2B.

The accepted electronic document is pre-licensed by obtaining a use license on behalf of a user (704). For example, a message transfer agent (212) pre-licenses the message (202) rather than requiring the message recipient to submit a user certificate and request for a use license to the rights management server (200). Id. at [0041], FIG. 7. The use license is also defined by the persisted policy scheme and associated with the content of the electronic document. Id. It is determined whether the content of the electronic document has exceeded the rights management protections defined by the persisted policy scheme (708). Using a message administration tool (300), the message administrator can configure a message updating application (600) to, for example, parse the XML string to determine whether or not the content is expired. The message administrator may schedule for the message transfer agent (212) to execute the message updating application (600) on a regular interval (e.g., daily, hourly) or on-demand. Alternatively, the message transfer agent (212) could make use of the rights management "license reader" utility to parse the XrML data to determine the expiry information. Id. at [0043]. If the content of the electronic document has exceeded the rights management protections, a portion of the content of the electronic document is replaced with an indicating piece of data such that the content of the electronic document is modified (710), such as by stripping attachments and non-RFC822 headers. Id. The use of the modified content of the electronic document is permitted in accordance with the obtained use license (712). In one embodiment, the body (602) of the message (202) is populated with a canned message. Id.

In another embodiment, independent claim 5 is directed to a computer-readable storage medium containing instructions for performing a method of updating content in an electronic document. See Application, paragraphs [0021], [0026]. The updating relies on the existence of a persisted policy scheme. Id. at [0026]. The electronic document is accepted and one or more rights management protections, as applied by the rights management server (200) and associated with content of the electronic document, are identified (700). Id. at [0026], [0040], FIGS. 6 and 7. The rights management protections are defined by the persisted policy scheme (702).

In one embodiment, a message sender 100 that is enrolled in a rights management service and is registered with a rights management server 200 may elect to apply rights management protection to a message 202 at the time of sending. Typically, the sender 100 will select a

"Protect" button on the toolbar of the message editor. Alternatively, the sender may also select a "Protect" menu item from the menu of the message editor. Upon selecting the appropriate mechanism by which to protect the message 202, the sender 100 will choose the desired. Id. at [0026], FIGS. 2A and 2B.

The accepted electronic document is pre-licensed by obtaining a use license on behalf of a user (704). Id. at [0041], FIG. 7. For example, a message transfer agent (212) pre-licenses the message (202) rather than requiring the message recipient to submit a user certificate and request for a use license to the rights management server (200). The use license is defined by the persisted policy scheme and is associated with the content of the electronic document. Id. It is determined whether the content of the electronic document has exceeded the rights management protections defined by the persisted policy scheme (708). In one example, using a message administration tool (300), the message administrator can configure a message updating application (600) to, for example, parse the XML string to determine whether or not the content is expired. The message administrator may schedule for the message transfer agent (212) to execute the message updating application (600) on a regular interval (e.g., daily, hourly) or on-demand. Alternatively, the message transfer agent (212) could make use of the rights management "license reader" utility to parse the XrML data to determine the expiry information. Id. at [0043]. If the content of the electronic document has exceeded the rights management protections, a portion of the content of the electronic document is replaced with an indicating piece of data such that the content of the electronic document is modified (710), such as by stripping attachments and non-RFC822 headers. Id. The use of the modified content of the electronic document is permitted in accordance with the obtained use license (712). Id.

In a further embodiment, claim 6 is directed to a computerized method for updating content in an electronic document and the updating relies on the existence of a persisted policy scheme. See Application, paragraph [0026]. The electronic document is accepted and one or more rights management protections associated with content of the electronic document are identified (700). Id. at [0026], [0040], FIGS. 6 and 7. The rights management protections define an expiration according to the persisted policy scheme (702). Id. at [0041], FIG. 7. The accepted electronic document is pre-licensed by obtaining a use license on behalf of a user (704). Id. The use license is defined by the persisted policy scheme and is associated with the content of the electronic document. Id. It is determined whether the content of the electronic document

has exceeded the expiration of the rights management protections defined by the persisted policy scheme (708). In one example, using a message administration tool (300), the message administrator can configure a message updating application (600) to, for example, parse the XML string to determine whether or not the content is expired. The message administrator may schedule for the message transfer agent (212) to execute the message updating application (600) on a regular interval (e.g., daily, hourly) or on-demand. Alternatively, the message transfer agent (212) could make use of the rights management "license reader" utility to parse the XrML data to determine the expiry information. Id. at [0043]. If the content of the electronic document has exceeded the expiration of the rights management protections, the content of the electronic document is deleted such that the content of the electronic document is unavailable for use in accordance with the obtained use license. Id. at [0044]. For example, unlike the message body 500 shown in FIG. 5 that merely describes a notification to a user about an expired content even though the content is still there, embodiments of the invention deletes the content, not just display a notification intending to hide the expired content from the user under its cover. See also paragraph [0038].

Claim 10 is directed to a computer-readable storage medium containing instructions for performing a method for updating content in an electronic document. See Application, paragraphs [0021], [0026]. The updating relies on the existence of a persisted policy scheme (200). Id. at [0026]. The method includes accepting the electronic document (700). One or more rights management protections associated with content of the electronic document are identified (702). Id. at [0026], [0040], FIGS. 6 and 7. The rights management protections define an expiration according to the persisted policy scheme (702). Id. at [0041], FIG. 7. The accepted electronic document is pre-licensed by obtaining a use license on behalf of a user (704). Id. The use license is defined by the persisted policy scheme and is associated with the content of the electronic document. Id. It is determined whether the content of the electronic document has exceeded the expiration of the rights management protections defined by the persisted policy scheme (708). In one example, using a message administration tool (300), the message administrator can configure a message updating application (600) to, for example, parse the XML string to determine whether or not the content is expired. The message administrator may schedule for the message transfer agent (212) to execute the message updating application (600) on a regular interval (e.g., daily, hourly) or on-demand. Alternatively, the message transfer agent

(212) could make use of the rights management "license reader" utility to parse the XrML data to determine the expiry information. Id. at [0043]. If the content of the electronic document has exceeded the expiration of the rights management protections, the content of the electronic document is deleted such that the content of the electronic document is unavailable for use in accordance with the obtained use license. Id. at [0044]. For example, unlike the message body 500 shown in FIG. 5 that merely describes a notification to a user about an expired content even though the content is still there, embodiments of the invention deletes the content, not just display a notification intending to hide the expired content from the user under its cover. See also paragraph [0038].

Claim 11 is directed to a computerized method for updating content in an electronic document. See Application, paragraph [0026]. The computerized method includes accepting the electronic document and identifying one or more rights management protections associated with content of the electronic document (700) and (702). Id. at [0026], [0040], FIGS. 6 and 7. The rights management protections define an expiration according to the persisted policy scheme (702). Id. at [0041], FIG. 7. The accepted electronic document is pre-licensed by obtaining a use license on behalf of a user (704). Id. The use license is defined by the persisted policy scheme and is associated with the content of the electronic document. Id. It is determined whether the content of the electronic document has exceeded an expiration of the rights management protections defined by the persisted policy scheme (708). In one example, using a message administration tool (300), the message administrator can configure a message updating application (600) to, for example, parse the XML string to determine whether or not the content is expired. The message administrator may schedule for the message transfer agent (212) to execute the message updating application (600) on a regular interval (e.g., daily, hourly) or on-demand. Alternatively, the message transfer agent (212) could make use of the rights management "license reader" utility to parse the XrML data to determine the expiry information. Id. at [0043]. If the content of the electronic document has exceeded the expiration of the rights management protections, a portion of the content of the electronic document is replaced with a refreshed copy of the portion of the content of the electronic document such that the electronic document maintains the rights management protections even though the user is pre-licensed to access the original content of the electronic document in accordance with the obtained use license (600). Id. at [0044].

Claim 15 is directed to a computer-readable storage medium containing instructions for performing a method for updating content in an electronic document and the updating relies on the existence of a persisted policy scheme. See Application, paragraphs [0021], [0026]. The method comprises accepting the electronic document and identifying one or more rights management protections associated with content of the accepted electronic document (700) and (702). Id. at [0026], [0040], FIGS. 6 and 7. The rights management protections define an expiration according to the persisted policy scheme (702). Id. at [0041], FIG. 7. The accepted electronic document is pre-licensed by obtaining a use license on behalf of a user, the use license is defined by the persisted policy scheme, and the use license grants access to the content of the electronic document by the user (704). Id. It is determined whether the content of the electronic document has exceeded the expiration of the rights management protections (708). In one example, using a message administration tool (300), the message administrator can configure a message updating application (600) to, for example, parse the XML string to determine whether or not the content is expired. The message administrator may schedule for the message transfer agent (212) to execute the message updating application (600) on a regular interval (e.g., daily, hourly) or on-demand. Alternatively, the message transfer agent (212) could make use of the rights management "license reader" utility to parse the XrML data to determine the expiry information. Id. at [0043]. If the content of the electronic document has exceeded the expiration of the rights management protections, a portion of the content of the electronic document is updated with a refreshed copy of the portion of the content of the electronic document such that the electronic document maintains the rights management protections even though the user is pre-licensed to access the original content of the electronic document in accordance with the obtained use license (600). Id. at [0044].

Claim 16 is directed to a computerized method for specifying an updating process for content in an electronic document and the updating relies on the existence of a persisted policy scheme. See Application, paragraphs [0021], [0026]. The electronic document has one or more rights management protections associated with content thereof and the rights management protections are defined by the persisted policy scheme. Id. at [0040], FIGS. 6 and 7. The computerized method comprises configuring the updating process to identify content in the electronic document that has the one or more rights management protections associated therewith to pre-license the content of electronic document with a use license on behalf of a user (702) and

(704). Id. at [0040], [0041]). Moreover, the updating process is configured to replace a portion of the content of the electronic document with an indicating piece of data such that the content of the electronic document is modified if the electronic document has exceeded the rights management protections thereby permitting use of the modified content of the electronic document by the pre-licensed user (708) and (710), such as by stripping attachments and non-RFC822 headers. In one example, using a message administration tool (300), the message administrator can configure a message updating application (600) to, for example, parse the XML string to determine whether or not the content is expired. The message administrator may schedule for the message transfer agent (212) to execute the message updating application (600) on a regular interval (e.g., daily, hourly) or on-demand. Alternatively, the message transfer agent (212) could make use of the rights management "license reader" utility to parse the XrML data to determine the expiry information. Id. at [0043].

Claim 19 is directed to a computer-readable storage medium containing instructions for performing a method for specifying an updating process for content in an electronic document, and the updating relies on the existence of a persisted policy scheme. See Application, paragraphs [0021] and [0026]. The electronic document has one or more rights management protections associated with content thereof and the rights management protections are defined by the persisted policy scheme. Id. at [0040], FIGS. 6 and 7. The method comprises configuring the updating process to identify content in the electronic document that has the one or more rights management protections associated therewith to pre-license the content of the electronic document with a use license on behalf of a user (702) and (704). Id. at [0040], [0041]. The updating process is also configured to replace a portion of the content of the electronic document with an indicating piece of data such that the content of the electronic document is modified if the electronic document has exceeded rights management protections thereby permitting use of the modified content of the electronic document by the pre-licensed user (708) and (710), such as by stripping attachments and non-RFC822 headers. In one example, using a message administration tool (300), the message administrator can configure a message updating application (600) to, for example, parse the XML string to determine whether or not the content is expired. The message administrator may schedule for the message transfer agent (212) to execute the message updating application (600) on a regular interval (e.g., daily, hourly) or on-demand. Alternatively, the message transfer agent (212) could make use of the rights



management "license reader" utility to parse the XrML data to determine the expiry information. Id. at [0043]. The summary for claim 19's novelty over the ScaledMedia reference is similarly supported by above arguments.

Claim 20 is directed to a computerized method for specifying an updating process for content in an electronic document, and the updating relies on the existence of a persisted policy scheme. See Application, paragraphs [0021] and [0026]. The electronic document has one or more rights management protections associated with content thereof, and the rights management protections define an expiration according to the persisted policy scheme. Id. at [0040], [0043], FIGS. 6 and 7. The computerized method comprises configuring the updating process to identify content in the electronic document that has the one or more rights management protections associated therewith to pre-license the content of the electronic document with a use license on behalf of a user (702) and (704). Id. at [0040], [0041]. In one example, using a message administration tool (300), the message administrator can configure a message updating application (600) to, for example, parse the XML string to determine whether or not the content is expired. The message administrator may schedule for the message transfer agent (212) to execute the message updating application (600) on a regular interval (e.g., daily, hourly) or on-demand. Alternatively, the message transfer agent (212) could make use of the rights management "license reader" utility to parse the XrML data to determine the expiry information. Id., at [0043].

Moreover, the updating process is configured to delete the content of the electronic document such that the content of the electronic document is unavailable if the electronic document has exceeded the expiration of the rights management protections even though the user is pre-licensed to use the original content of the electronic document (708). Id. at [0044]. For example, unlike the message body 500 shown in FIG. 5 that merely describes a notification to a user about an expired content even though the content is still there, embodiments of the invention deletes the content, not just display a notification intending to hide the expired content from the user under its cover. See also paragraph [0038].

Claim 23 is directed to a computer-readable storage medium containing instructions for performing a method for specifying an updating process for content in an electronic document, and the updating relies on the existence of a persisted policy scheme. See Application, paragraphs [0021] and [0026]. The electronic document has one or more rights management

protections associated with content thereof, and the rights management protections define an expiration according to the persisted policy scheme. Id. at [0043]. The method comprises configuring the updating process to identify content in the electronic document that has the one or more rights management protections associated therewith to pre-license the content of the electronic document with a use license on behalf of a user (702) and (704). In one example, using a message administration tool (300), the message administrator can configure a message updating application (600) to, for example, parse the XML string to determine whether or not the content is expired. The message administrator may schedule for the message transfer agent (212) to execute the message updating application (600) on a regular interval (e.g., daily, hourly) or on-demand. Alternatively, the message transfer agent (212) could make use of the rights management "license reader" utility to parse the XrML data to determine the expiry information. Id. at [0041], [0043]. As configured, the updating process deletes the content of the electronic document data such that the content of the electronic document is unavailable if the electronic document has exceeded the expiration of the rights management protections even though the user is pre-licensed to use the original content of the electronic document (708). Id. at [0044]. For example, unlike the message body 500 shown in FIG. 5 that merely describes a notification to a user about an expired content even though the content is still there, embodiments of the invention deletes the content, not just display a notification intending to hide the expired content from the user under its cover. See also paragraph [0038].

Claim 24 is directed to a computerized method for specifying an updating process for content in an electronic document, and the updating relies on the existence of a persisted policy scheme. See Application, paragraphs [0021] and [0026]. The electronic document has one or more rights management protections associated with content thereof. Id. at [0040], FIGS. 6 and 7). Also, the rights management protections define an expiration according to the persisted policy scheme. Id. at [0043]. The computerized method comprises configuring the updating process to identify content in the electronic document that has the one or more rights management protections to pre-license the content of the electronic document with a use license on behalf of a user to access the content of the electronic document (702) and (704). Id. at [0041], [0043]. The updating process is also configured to replace a portion of the content of the electronic document with a refreshed copy of the portion of the content of the electronic document such that the electronic document maintains the rights management protections if the

electronic document has exceeded the expiration of the rights management protections even though the user is pre-licensed to access the original content of the electronic document in accordance with the obtained use license (708) and (600). In one example, using a message administration tool (300), the message administrator can configure a message updating application (600) to, for example, parse the XML string to determine whether or not the content is expired. The message administrator may schedule for the message transfer agent (212) to execute the message updating application (600) on a regular interval (e.g., daily, hourly) or on-demand. Alternatively, the message transfer agent (212) could make use of the rights management "license reader" utility to parse the XrML data to determine the expiry information. Id. at [0043-44].

Claim 27 is directed to a computer-readable storage medium containing instructions for performing a method for specifying an updating process for content in an electronic document, and the updating relies on the existence of a persisted policy scheme. See Application, paragraphs [0021] and [0026]. The electronic document has one or more rights management protections associated with content thereof, and the rights management protections define an expiration according to the persisted policy scheme. Id. at [0040], [0043], FIGS. 6 and 7. The method comprises configuring the updating process to identify content in the electronic document that has the one or more rights management protections associated therewith to pre-license the content of the electronic document with a use license on behalf of a user to access the content of the electronic document (702) and (704). Id. at [0040], [0041]. As configured, the updating process replaces a portion of the content of the electronic document with a refreshed copy of the portion of the content of the electronic document such that the electronic document maintains the rights management protections if the electronic document has exceeded the expiration of the rights management protections even though the user is pre-licensed to access the original content of the electronic document in accordance with the obtained use license (708) and (600). In one example, using a message administration tool (300), the message administrator can configure a message updating application (600) to, for example, parse the XML string to determine whether or not the content is expired. The message administrator may schedule for the message transfer agent (212) to execute the message updating application (600) on a regular interval (e.g., daily, hourly) or on-demand. Alternatively, the message transfer agent (212) could

make use of the rights management "license reader" utility to parse the XrML data to determine the expiry information. Id. at [0043-44].

### **REMARKS**

Applicants submit that the Appeal Brief, as corrected by the Amended Summary of Claimed Subject Matter pursuant to MPEP § 1205.03(B), is now in compliance with 37 C.F.R. 41.37(c)(1)(v) and respectfully request a substantive evaluation of the issues presented. In particular, the amended Summary of Claimed Subject Matter further explains the subject matter of this Appeal. Applicants also respectfully submit embodiments of the invention are novel over the cited art not only with respect to replacing a portion of the content of the electronic document with an indicating piece of data such that the content of the electronic document is modified, deleting the content of the electronic document (as argued by the Office in the Non-Compliant Appeal Brief), but also replacing a portion of the content of the electronic document with a refreshed copy of the portion of the content.

Applicants do not believe a fee is due. If, however, the Commissioner determines otherwise, other deficient fees may be charged during the entire pendency of this application to Deposit Account No. 19-1345.

Respectfully submitted,

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